

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

ENTERED ON DOCKET

9/10/99 PURSUANT

TO FRCP RULES 58 & 79a

NORBERTO MONTESINO, et al.,

Plaintiffs,

v.

CIVIL NO. 98-1495 (RLA)

INSTITUTO MEDICO DEL NORTE,
et al.,

Defendants.

RECEIVED & FILED
1999 SEP 10 AM 8 40
CLERK'S OFFICE
U.S. DISTRICT COURT
SAN JUAN, PR

JUDGMENT

Absent opposition and it appearing from the testimony of plaintiff's own expert witness that there is no evidence to substantiate the medical malpractice claims asserted in the complaint,

The Motion for Summary Judgment filed by codefendants AMERICAN INTERNATIONAL INS. CO. ("AIICO") and INSTITUTO MEDICO DEL NORTE, d/b/a CENTRO MEDICO WILMA N. VAZQUEZ on September 2, 1999 (docket No. 27) is hereby **GRANTED**.

Accordingly, it is hereby ORDERED AND ADJUDGED that the claims asserted against codefendants AIICO and INSTITUTO MEDICO DEL NORTE be and the same are hereby **DISMISSED**.

CIVIL NO. 98-1495 (RLA)

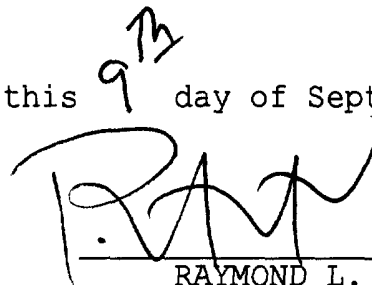
Page 2

1 It is further ORDERED AND ADJUDGED that the claims asserted
2 against codefendant DR. JOSE FIGUEROA-ROSSNER be and the same are
3 likewise **DISMISSED**.¹
4

5 Petitioners having waived costs, expenses and attorney's fees,
6 none shall be imposed.

7 IT IS SO ORDERED.

8 In San Juan, Puerto Rico, this 9th day of September, 1999.
9

10 

11 RAYMOND L. ACOSTA
12 United States District Judge
13
14
15
16
17
18
19
20
21
22

23
24 ¹ Although default had been entered against DR. FIGUEROA-
25 ROSSNER, pursuant to Rule 55 Fed. R. Civ. P. "a summary judgment in
26 favor of the answering defendants will accrue to the benefit of the
defaulting defendant." 10A Wright, Miller & Kane, Federal Practice
and Procedure: Civil 3d § 2690 at 75.